

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

Grant M. Saxena

Civil Action No.: 2:22-cv-02126-CDS-BMW

Plaintiff,

Lloyd D George Courthouse

VS.

Martinez-Hernandez, et., al.

MOTION TO ENLARGE TIME TO
SERVE SUMMONS

MOTION TO ENLARGE TIME TO SERVE SUMMONS

NOW COMES the Plaintiff, Dr. Grant M. Saxena, appearing Pro Se and motions the Court to kindly allow thirty (30) additional days to serve the summons in the Civil Action:

1-22-cv-02126CDS-BNW.

Very Respectfully Submitted,

/s/ Dr. Grant Saxena

Dr. Grant Mitchell Saxena

Dated this 21st day of March 2023

275 New North R

London, N1 7

303-941-8772

giant.saxena25@lau.edu.uk / S

1 **MEMORANDUM OF POINTS AND AUTHORITY**
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5 1. On 12/21/2022, Plaintiff filed the complaint through
6
7 lv_public_docketing@nvd.uscourts.gov.
8
9 2. On 1/21/2023, the Plaintiff mailed the \$402.00 filing fee in a money order through
10
11 USPS certified mail tracking ID: 70220410000158486446.
12
13
14 3. On 03/01/2023 the court granted the motion for order to issue the summons.
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17 4. The Nye County Sheriff Office Defendants were emailed the summons on 03/14/203,
18 with a waiver request, and have decided not to waive the service of summons.
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23 a. Therefore Nye County will be liable for the full cost of private process service.

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25 **LAW**
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29 Rule 6. Computing and Extending Time; Time for Motion Papers

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31 (a) Computing Time. The following rules apply in computing any time period specified in these rules, in any local
32 rule or court order, or in any statute that does not specify a method of computing time.
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34 (1) Period Stated in Days or a Longer Unit. When the period is stated in days or a longer unit of time:
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36 (A) exclude the day of the event that triggers the period;

1 (B) count every day, including intermediate Saturdays, Sundays, and legal holidays; and
2 (C) include the last day of the period, but if the last day is a Saturday, Sunday, or legal holiday, the period continues
3 to run until the end of the next day that is not a Saturday, Sunday, or legal holiday.

4 (2) Period Stated in Hours. When the period is stated in hours:

5 (A) begin counting immediately on the occurrence of the event that triggers the period;
6 (B) count every hour, including hours during intermediate Saturdays, Sundays, and legal holidays; and
7 (C) if the period would end on a Saturday, Sunday, or legal holiday, the period continues to run until the same time
8 on the next day that is not a Saturday, Sunday, or legal holiday.

9 (3) Inaccessibility of the Clerk's Office. Unless the court orders otherwise, if the clerk's office is inaccessible:

10 (A) on the last day for filing under [Rule 6\(a\)\(1\)](#), then the time for filing is extended to the first accessible day that is
11 not a Saturday, Sunday, or legal holiday; or
12 (B) during the last hour for filing under [Rule 6\(a\)\(2\)](#), then the time for filing is extended to the same time on the first
13 accessible day that is not a Saturday, Sunday, or legal holiday.

14 (4) "Last Day" Defined. Unless a different time is set by a statute, local rule, or court order, the last day ends:

15 (A) for electronic filing, at midnight in the court's time zone; and
16 (B) for filing by other means, when the clerk's office is scheduled to close.

17 (5) "Next Day" Defined. The "next day" is determined by continuing to count forward when the period is measured
18 after an event and backward when measured before an event.

19 (6) "Legal Holiday" Defined. "Legal holiday" means:

20 (A) the day set aside by statute for observing New Year's Day, Martin Luther King Jr.'s Birthday, Washington's
21 Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day,
22 or Christmas Day;
23 (B) any day declared a holiday by the President or Congress; and
24 (C) for periods that are measured after an event, any other day declared a holiday by the state where the district court
25 is located.

26 (b) Extending Time.

1 (1) In General. When an act may or must be done within a specified time, the court may, for good cause, extend the
2 time:

3 (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension
4 expires; or

5 (B) on motion made after the time has expired if the party failed to act because of excusable neglect.

6 (2) Exceptions. A court must not extend the time to act under Rules 50(b) and (d), 52(b), 59(b), (d), and (e), and
7 60(b).

8
9 **CONCLUSION**

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11 5. Plaintiff needs an additional thirty (30) days to procure a private process server due to
12 a lapse of time to receive the summons, the lack of the governmental agency to waive service,
13 and also refusal to serve their own employees due to clear retaliation against the Plaintiff.
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16 **PRAYER FOR RELIEF**

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19 6. I request the Court to please grant the motion to enlarge time for serving the summons
20 by at least thirty (30) days, pursuant to Fed. R. Civ. P. (6)(b)(1)(A).
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23 Very Respectfully Requested,

24
25 /s/ Dr. Grant M. Saxena

26 Doctor Grant Mitchell Saxena

27 Dated this 21st day of March 2023

28 275 New North Road, #2051, London, N1 7AA

+1-303-941-8772

grant.saxena25@law.ac.uk /s/

ORDER

IT IS SO ORDERED

DATED: 11:53 am, March 22, 2023


BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE